

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2007 NOV 15 PM 4:43
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THE EAST 130 FEET OF LOT 23, BLOCK 13,
BONITA, AN ADDITION TO THE CITY OF
OMAHA, AS SURVEYED, PLATTED AND
RECORDED IN DOUGLAS COUNTY,
NEBRASKA, LOCALLY KNOWN AS 2331
NORTH 72ND STREET, OMAHA, NEBRASKA,

Defendant.

8:07CV336

ORDER

NOW ON THIS 15th day of November, 2007, this matter comes on before the Court upon the Stipulation of the parties (Filing No. 8). The Court reviews the file and the Stipulation, and, being duly advised on the premises, finds as follows:

1. The United States is in receipt of \$45,000.00, the amount the parties have agreed Fidel Abarca-Uriostegui would pay to the United States, and the amount the parties have agreed would be forfeited to the United States, *in lieu* of the Defendant property.

2. Pursuant to this Court's Order dated September 5, 2007, (Filing No. 5) the United States has published notice of its intent to dispose of the property in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on October 26, 2007 (Filing No. 6). In response to said published notice, no person or entity has filed a Petition setting forth any legal or equitable interest in the Defendant property.

3. The United States should file a release of its *Lis Pendens*. The \$45,000.00 should be considered forfeited to the United States and be disposed of by the Department of Homeland Security according to law.

4. The parties' Stipulation should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The parties' Stipulation is hereby approved.

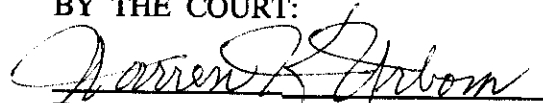
B. Pursuant to this Court's Order dated September 5, 2007 (Filing No. 5), the United States has published notice of its intent to dispose of the property in such a manner as the Attorney General may direct. An Affidavit of Publication was filed herein on October 26, 2007 (Filing No. 6). No person or entity has filed a Petition, in response to said published notice, setting forth any legal or equitable interest in the subject property.

C. The Claimant has delivered \$45,000.00 to the United States. This sum is hereby forfeited to the United States. All right, title or interest in or to said amount held by any person or entity is hereby forever barred and foreclosed. The Department of Homeland Security shall dispose of said \$45,000.00 in accordance with law.

D. The United States shall file a release of its *Lis Pendens* upon entry of this Order.

E. The United States shall file a Receipt with this Court, evidencing its receipt of the \$45,000.00. Upon the filing of said Receipt, this Court shall enter a Judgment in this action.

BY THE COURT:



WARREN K. URBOM

Senior, UNITED STATES DISTRICT JUDGE

Prepared and submitted by:

Nancy A. Svoboda (#17429)
Attorney for the Plaintiff
1620 Dodge Street, Suite 1400
Omaha, Nebraska 68102-1506
(402) 661-3700

Approved as to form and content:

2331 NORTH 72ND STREET, OMAHA,
NEBRASKA, Defendant, and
FIDEL ABARCA-URIOSTEGUI, Claimant

By: 

HORACIO J. WHEELOCK (#22528)
Attorney at Law
319 South 17th Street
Omaha, NE 68102
(402) 342-9147